

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLICATION NO. 09/740,784
ATTORNEY DOCKET NO. Q62359

REMARKS

Claims 1-12 are all the claims pending in the application.

Formal Matters

Claims 1-12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended the claims to more clearly recite that which the Applicant regards as the invention. The Examiner is therefore respectfully requested to withdraw the § 112 rejection from the claims.

Art Rejections

Claims 1-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Jarett et al., U.S. Patent No. 5,911,120 ("Jarett"). Claims 1 and 7 are both independent claims. Applicant respectfully traverses this rejection for at least the reasons stated below.

To be an "anticipation" rejection under 35 U.S.C. § 102, the reference must teach every element and recitation of the Applicants' claims. Rejections under 35 U.S.C. § 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art. Thus, the reference must clearly and unequivocally disclose every element and recitation of the claimed invention.

In a non-limiting embodiment, the present invention provides for a portable terminal and fixed radiotelephone terminal. When within radio range, the two terminals can be activated simultaneously in the same call such that the terminals can be operated simultaneously by the

same operator. By way of example, because the portable and radiotelephone terminals are configured to be activated simultaneously, a message can be displayed on the fixed radiotelephone terminal if the message display capacity is greater than that offered by the portable terminal. In short, the portable terminal can be associated with and use the complementary functions of the radiotelephone terminal.

Applicant respectfully submits that Jarett fails to disclose at least the following recitations of independent claims 1 and 7:

a radiotelephone terminal which is complementary to said portable radiotelephone terminal, configured to remain in place, said radiotelephone terminal further configured to be used conjointly with said portable terminal when connected to said relay transceiver station by a call set up via said station,

wherein complementary functions of said radiotelephone terminal and said portable terminal can be employed by the same user having simultaneous access to both terminals.

Jarett is directed to a wireless communication system having mobile stations which establish a communication link through a base station without using a landline or cellular network (*See e.g.: Title*). More specifically, Jarett provides a mobile station capable of communication with both a conventional regional cellular base station and a cordless cellular base station utilizing the same cellular frequency range and communication *tools* (*Col. 2, lines 43-45*). As such, the mobile handset is capable of switching between cellular frequencies and cordless frequencies when the handset is in proximity of the cordless telephone unit thus

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enabling the telephone unit to receive calls from both the public switched telephone network and the cellular network (*See Col. 2, lines 5-15*).

The Examiner points to Col. 12, lines 45 - Col. 14, line 55 of Jarett as disclosing the claimed complementary functions of the radiotelephone terminal and said portable terminal that can be employed by the same user having simultaneous access to both terminals. Applicant submits that the passages relied on by the Examiner simply disclose how a mobile station stores and registers frequency information (*See Col. 13, lines 34-40*). More specifically, the process of registering and deregistering with a cellular network as the handsets come in and out of proximity with a cordless base station is also described in detail. Absent from these passages, however, is any disclosure of allowing the complementary functions of the radiotelephone terminal and a portable terminal to be utilized by a user having simultaneous access to both terminals.

The Examiner further relies on Col. 25, line 66 - Col. 28, line 39 to support his contention. Once again, Applicant respectfully submits that the passages relied on by the Examiner merely describe routing a call from a cellular network to a cordless base station. Specifically, a cordless cellular base station 10 sends a call forwarding update message to the cellular network 16 requesting that the cellular network 16 route all calls for the mobile station identification number of the mobile station 12 to the landline associated with the cordless base station 10. There is absolutely no disclosure in Jarett of allowing the complementary function of a radiotelephone terminal and a portable terminal to be utilized by a user having simultaneous access to both terminals as recited in independent claims 1 and 7.

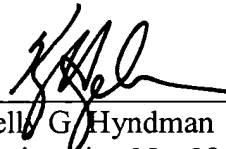
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Because Jarett fails to disclose each and every recitation of independent claims 1 and 7, Jarett cannot possibly anticipate the claimed subject matter. The Examiner is therefore respectfully requested to withdraw the § 102 rejection from independent claims 1 and 7 and from the claims that depend therefrom.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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